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Application No.: 09/938,670
TTORNEY DOCKET: 60117.000007

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number

09/938,670

Confirmation No.:

2509

Applicant

Jens PETERSEN et al.

Filed

August 27, 2001

Title

POLYACRYLAMIDE HYDROGEL AND ITS USE AS AN

ENDOPROSTHESIS

TC/Art Unit

: 3738

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Examiner:

David J. Isabella

Docket No.

60117.000007

Customer No.

21967

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants submit attached Form PTO/SB/08A (modified) for consideration and requests the references cited therein be made of record by the U.S. Patent and Trademark Office ("USPTO") in the above-captioned application.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of U.S. patents and U.S. patent application publications are not enclosed with this communication. However, U.S. Patent Application Serial No. 11/469;213, filed November 30, 2006, is a copending application that is a divisional of U.S. Patent Application Publication No. 2003/0077244, which was previously submitted in the present application, and has not yet been published. Therefore, a copy of U.S. Patent Application Serial No. 11/469,213 is submitted herewith.

Applicants respectfully point out that the submission of the listed references in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicants.

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Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08A with the Examiner's initials in the left column in accordance with M.P.E.P. § 609 are respectfully requested. In addition, Applicant respectfully requests that a copy of the Form PTO/SB/08A submitted with the Information Disclosure Statements filed with the USPTO on December 1, 2005; February 13, 2006; and February 28, 2006 be returned with the Examiner's initials in the left column in accordance with M.P.E.P. § 609. A copy of the Forms have been submitted herewith for the Examiner's convenience.

In accordance with 37 C.F.R. § 1.97(c), this Information Disclosure Statement is believed to be submitted after the issuance of a first Office Action on the merits but before the mailing date of any action closing prosecution in the application. The Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206 the amount of \$180.00 in accordance with 37 C.F.R. § 1.17(p). It is respectfully submitted that no additional fees are required for consideration of this information. However, in the event that the USPTO determines that a variance exists between the amount authorized above and the amount due, the Commissioner is hereby authorized to debit or credit such variance to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Date: December 1, 2006

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PTO/SB/08B (08/03) (modified)
S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Substitute for form 1449A/PTO 09/938,670 **Application Number Filing Date** August 27, 2001 INFORMATION DISCLOS **First Named Inventor** Jens PETERSEN et al. STATEMENT BY APPLICANT **Art Unit** 3738 (use as many sheets as necessary) **Examiner Name** David J. Isabella Sheet 1 of 1 **Attorney Docket Number** 60117.000007 U.S. PATENT DOCUMENTS Pages, Columns, Lines, DOCUMENT NUMBER *Examine: Cite **Publication Date** Name of Patentee or Where Relevant Passages or Initials Number - Kind Code (if known) MM-DD-YYYY Applicant of Cited Document Relevant Figures Appear US-1. 11/469,213 8-31-2006 Petersen 2. US-10-10-2000 6,129,761 Hubbell US-US-US-**FOREIGN PATENT DOCUMENTS FOREIGN PATENT** DOCUMENT Pages, Columns, Lines, TRANSLATION Where Relevant **Publication Date** Cite *Examiner Country Code Number-Kind Name of Patentee or Passages or Relevant Initial Nο MM-DD-YYYY Applicant of Cited Document Code (if known) Figures Appear YES NO WO 3. 00/78356 12-28-2000 Orquest, Inc. OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the TRANSLATION *Examiner Cite item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published YES NO Stevens, Malcolm P., Definitions, "Polymer Chemistry: An Introduction", Third Edition, Oxford 4. П University Press, Inc., Sect. 1.2, pgs. 6-10, 1999. 5. Lewis, Richard J., Sr., Olefin (alkene), "Hawley's Condensed Chemical Dictionary", Thirteenth Edition, John Wiley & Sons, Inc., pg. 819, 1997. O'neil, Maryadele J., et al. (Eds.), Acrylamide, "The Merck Index: An Encyclopedia of Chemicals, Drugs, and Biologicals", Thirteenth Edition, Merck Research Laboratories, Merck & Co., Inc., Listing no. 131, pg. 128, 2001. **EXAMINER SIGNATURE** DATE CONSIDERED *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO

Application Number 09/938,670

INFORMATION DISCLOSURE Filing Date August 27, 2001

STATEMENT BY APPLICANT First Named Inventor Jens PETERSEN

(use as many sheets as necessary)

of

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First Named Inventor

Group Art Unit

Examiner Name

August 27, 2001

Jens PETERSEN

3738

Examiner Name

David J. Isabella

Attorney Docket Number

60117.000007

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No.1	U.S. Patent Document Kind Code ² Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark hee if English language Translation is attached.

DEC 0 1 2006 \$ PTO/SB/08B (08/03) (modified)
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO			Application Number 09/938,670							
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Sheet 1 of 1			Attorney Docket Number	60117.000007						
	OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS									
*Examiner	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the									
tnitials No.		number(s), publisher, city and/or country where published								
	1.	Ministry of Public Health of Ukraine, Kiev Research Institute of Hematology and Blood Transfusion, Report dated February 29, 1993.								
	2.	Interfall's Biocompatible Hydrogel, Doctor's Information (February 22, 2006) (citing U.S. Patent. No. 5,798,096) at http://www.bpg.bg/interfall/EB005140106biocompatible_gel1.htm.								
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